IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc. No.15046-M of 2007
Date of Decision:- 21.09.2007

Mahabir Singh Chauhan ....Petitioner(s)

through
Mr.Amit Dhawan, Advocate

vs.

Rameshwar Singh ....Respondent(s)

through
Mr.Rajesh Bhardwaj, DAG, Punjab.
Mr.Ramesh Sharma, Advocate for the complainant.

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

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1) Whether Reporters of the local papers may be allowed to see the judgment?
2) To be referred to the Reporters or not?
3) Whether the judgment should be reported in the Digest?

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SURYA KANT, J. (ORAL)

The prayer in this petition is for quashing of complaint No.1091/2/04 dated 26.7.2004 filed under Section 138 of the Negotiable Instruments Act as well as the summoning order dated 26.7.2004 passed therein.

As may be noticed from the order dated March 09, 2007 passed by this Court, the particular contention raised on behalf of the petitioner is that the original cheque as a matter of fact bears signatures of his daughter (Mumtej Chauhan) and not of the petitioner who is named as Mahabir Singh Chauhan.

Notice of motion was issued and in response thereto, the respondent-complainant, has filed his reply which is taken on record. According to the respondent, the aforesaid cheque was issued from the petitioner's account, this fact, however, has not been disputed by learned

counsel for the petitioner.

Having regard to the disputed questions of fact, this petition is disposed of with liberty to the petitioner to raise all his contentions before the learned trial Court which shall be taken into consideration in accordance with law.

Disposed of.

September 21, 2007 **(SURYA KANT)**
poonam **JUDGE**